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EXAMINER	
TIEU, BINH KIEN	

ART UNIT	PAPER NUMBER
2643	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/710,025	DENOVICH ET AL.	
	Examiner	Art Unit	
	BINH K. TIEU	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 May 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-5 and 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider et al. (U.S. Pat. #: 5,623,542) in view of DeBalko et al. (U.S. Pat. #: 5,515,435) **(both references were filed in the IDS form 1449 on 2/16/01 by the Applicants)**.

Regarding claim 1, Schneider et al. ("Schneider") teaches a telephone and cable television network interface device as shown in figures 1, 8 and 13, including:

a first housing (i.e., housing 12 as shown in figure 1) having a first compartment (i.e., a telephone company compartment portion 32) and a second compartment (i.e., a telephone subscriber compartment portion 31);

a first terminal, located in the first compartment, for connection to telephone service (i.e., subscriber line module 91 as shown in figure 8, col.7, lines 34-42 and col.12, line 62 – col.13, line 3);

a cover (i.e., subscriber cover 16) for restricting access to the first compartment by the telephone service subscriber (col.4, line 62 – col.5, line 11);

a cable television splitter (i.e., cable television module 620 shown in figure 13) located in the first housing, the splitter including a second housing spanning the first and second compartments (col.12, lines 55-66 and col.13, lines 8-57);

a plurality of coaxial cable connectors located in the second housing (i.e., connectors 234, 469, 464 in figure 13), at least one of the coaxial cable connectors being located in the first compartment (i.e., any connectors 234, 469 and 464) and at least one of the coaxial cable connectors being located in the second compartment (i.e., connector 250), each of the coaxial cable connectors facing the same direction (i.e., coaxial cables 234, 469, 464 each facing the same direction).

It should be noticed that Schneider teaches individual modules 91 located in the first compartment for connecting incoming telephone wires to subscriber's telephone equipment as stated above. It is also noticed that Schneider fails to clearly teach a second terminal located in the second compartment for connection to a telephone of a telephone service subscriber. However, DeBalko et al. ("DeBalko") teaches such features in figure 1, element #30, note

col.2, lines 9-21 for a purpose of electrically coupling incoming telephone wires to subscriber telecommunication equipment.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of a second terminal located in the second compartment for connection to a telephone of a telephone service subscriber, as taught by DeBalko, into view of Schneider, in order to hook-up telephone services to telephone subscriber's equipment.

Regarding claim 2, Schneider further teaches the limitations of the claim in figure 1.

Regarding claims 3 and 4, Schneider further teaches the limitations of the claims in figure 13.

Regarding claim 5, Schneider further teaches the limitations of the claims such as the ground bar or ground conductor 660 as shown in figures 13-17, col.14, lines 35-59.

Regarding claim 7, Schneider et al. ("Schneider") teaches a telephone and cable television network interface device as shown in figures 1, 8 and 13, including:

a first housing (i.e., housing 12 as shown in figure 1) having a first compartment (i.e., a telephone company compartment portion 32) and a second compartment (i.e., a telephone subscriber compartment portion 31);

a first terminal, located in the first compartment, for connection to telephone service (i.e., subscriber line module 91 as shown in figure 8, col.7, lines 34-42 and col.12, line 62 - col.13, line 3);

a cover (i.e., subscriber cover 16) for restricting access to the first compartment by the telephone service subscriber (col.4, line 62 - col.5, line 11);

DeBalko, into view of Schneider, in order to hook-up telephone services to telephone subscriber's equipment.

Regarding claim 8, Schneider further the limitations of the claim such as the coaxial cables 236, 466, 467 and 232 in figure 13 wherein they all connected to each of connectors 234, 469, 464, 250 in parallel to each others.

Regarding claim 9, Schneider further the limitations of the claim such as the grooves 430 and 434 in figure 13.

Regarding claim 10, Schneider further the limitations of the claim such as the dividing line 33 as a longitudinal axis in figure 13.

Regarding claim 11, Schneider further teaches the limitations of the claims such as the ground bar or ground conductor 660 as shown in figures 13-17, col.14, lines 35-59.

4. Claims 6 and 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider et al. (U.S. Pat. #: 5,623,542) in view of DeBalko et al. (U.S. Pat. #: 5,515,435) as applied to claim 1 above, and further in view of Daoud (U.S. Pat. #: 5,721,396).

Regarding claims 6 and 12, Schneider and DeBalko, in combination, fails to clearly teach the housing includes an opening and the longitudinal axes of the coaxial cable connectors are perpendicular to the plane defined by the opening. However, Daoud teaches such features as shown in figures 1-4 for a purpose of providing or supplying as many different cables to the point of building entry as the number of subscribers, to meet each subscriber's ongoing service requirements.

a cable television splitter (i.e., cable television module 620 shown in figure 13) located in the first housing, the splitter including a second housing having a first portion located in the first compartment and a second portion located in the second compartment (col.12, lines 55-66 and col.13, lines 8-57);

at least one coaxial cable connector located in the first portion of the second housing (i.e., connectors 234, 269, 464 in figure 13);

a plurality of second coaxial cable connectors being located in the second portion of the second housing (i.e., connector 250);

wherein each of the coaxial cable connectors has a longitudinal axis and the longitudinal axes of all of the coaxial cable connectors are parallel (i.e., coaxial cables 236, 466 and 467 are connected in parallel to each others).

It should be noticed that Schneider teaches individual modules 91 located in the first compartment for connecting incoming telephone wires to subscriber's telephone equipment as stated above. It is also noticed that Schneider fails to clearly teach a second terminal located in the second compartment for connection to a telephone of a telephone service subscriber. However, DeBalko et al. ("DeBalko") teaches such features in figure 1, element #30, note col.2, lines 9-21 for a purpose of electrically coupling incoming telephone wires to subscriber telecommunication equipment.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of a second terminal located in the second compartment for connection to a telephone of a telephone service subscriber, as taught by

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of the housing includes an opening and the longitudinal axes of the coaxial cable connectors are perpendicular to the plane defined by the opening, as taught by Daoud, into view of Schneider and DeBalko in order to conveniently couple different service cables corresponding to subscriber's ongoing service requirements to subscriber's equipment.

Regarding claim 13, Schneider et al. ("Schneider") teaches a telephone and cable television network interface device as shown in figures 1, 8 and 13, including:

a first housing (i.e., housing 12 as shown in figure 1) having a first compartment (i.e., a telephone company compartment portion 32) and a second compartment (i.e., a telephone subscriber compartment portion 31);

a first terminal, located in the first compartment, for connection to telephone service (i.e., subscriber line module 91 as shown in figure 8, col.7, lines 34-42 and col.12, line 62 – col.13, line 3);

a cover (i.e., subscriber cover 16) for restricting access to the first compartment by the telephone service subscriber (col.4, line 62 – col.5, line 11);

an opening in the first housing, the opening defining a plane (see covers 14 and 16 as shown in figure 1 as in "open" position and the housing 12 is defining as a plane);

a cable television splitter (i.e., cable television module 620 shown in figure 13) located in the first housing, the splitter including a second housing having a first portion located in the first compartment and a second portion located in the second compartment (col.12, lines 55-66 and col.13, lines 8-57);

at least one coaxial cable connector located in the first portion of the second housing (i.e., any connector 250 in figure 13);

a plurality of second coaxial cable connectors being located in the second portion of the second housing (i.e., connectors 234, 464, 469);

wherein each of the coaxial cable connectors has a longitudinal axis and the longitudinal axes of all of the coaxial cable connectors are parallel (i.e., coaxial cables 236, 466 and 467 are connected in parallel to each others).

It should be noticed that Schneider teaches individual modules 91 located in the first compartment for connecting incoming telephone wires to subscriber's telephone equipment as stated above. It is also noticed that Schneider fails to clearly teach a second terminal located in the second compartment for connection to a telephone of a telephone service subscriber. However, DeBalko et al. ("DeBalko") teaches such features in figure 1, element #30, note col.2, lines 9-21 for a purpose of electrically coupling incoming telephone wires to subscriber telecommunication equipment.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of a second terminal located in the second compartment for connection to a telephone of a telephone service subscriber, as taught by DeBalko, into view of Schneider, in order to hook-up telephone services to telephone subscriber's equipment.

It should be also noticed that both Schneider and DeBalko, in combination, fails to clearly teach the housing includes an opening and the longitudinal axes of the coaxial cable connectors are perpendicular to the plane defined by the opening. However, Daoud teaches

such features as shown in figures 1-4 for a purpose of providing or supplying as many different cables to the point of building entry as the number of subscribers, to meet each subscriber's ongoing service requirements.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of the housing includes an opening and the longitudinal axes of the coaxial cable connectors are perpendicular to the plane defined by the opening, as taught by Daoud, into view of Schneider and DeBalko in order to conveniently couple different service cables corresponding to subscriber's ongoing service requirements to subscriber's equipment.

Regarding claims 14 and 17, Schneider further the limitations of the claim such as the coaxial cables 236, 466, 467 and 232 in figure 13 wherein they all connected to each of connectors 234, 469, 464, 250 in parallel to each others.

Regarding claim 15, Schneider further the limitations of the claim such as the grooves 430 and 434 in figure 13.

Regarding claim 16, Schneider further teaches the limitations of the claims such as the ground bar or ground conductor 660 as shown in figures 13-17, col.14, lines 35-59.

Response to Arguments

5. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

In response to Applicants' arguments from the last paragraph, page 2 to the first paragraph, page 3 in their Response filed on 05/27/2004 concerning about the Examiner

mistyped the compartment 32 in figure 1, 8 and 13 of Schneider et al. which is read on the limitation of first compartment and compartment 31 is read on the second compartment. The Examiner apologizes these mistakes. The corrections were made as shown above in this Office Action. This Office Action made None-Final is also based such mistakes.

In response to Applicants' arguments from the first paragraph, page 3 wherein the Applicants argued that "applicants are unable to locate a reference numeral 269 in Figure 13..." the Applicants were right to correct the reference numeral 269 as reference numeral 469 in the figure 13. The Examiner apologizes these mistakes too.

In response to Applicants' arguments from the last paragraph, page 3 to the first paragraph, page 4 wherein the Applicants argued that Schneider et al reference fails to clearly teach each of connector facing the same direction.

The examiner respectfully disagrees with the Applicants' arguments above. In claims 1 and 7 recited limitations of "...each of the coaxial cable connectors facing the same direction" and "...each of the coaxial cable connectors has a longitude axis and the longitude axis of all of the coaxial cable connectors are parallel", respectively. However, the Examiner does not see any limitations recited in claims 1 and 7 as ""...each of the coaxial cable connectors ***located in both the first compartment and the second compartment facing*** the same direction" and "...each of the coaxial cable connectors has a longitude axis and the longitude axis of all of the coaxial cable connectors ***located in both the first compartment and the second compartment facing*** are parallel", respectively. Therefore, connectors 236, 464 and 469 in figure 13 of the Schneider et al. reference read on both limitations of "...each of the coaxial cable connectors

facing the same direction " and "...each of the coaxial cable connectors has a longitude axis and the longitude axis of all of the coaxial cable connectors are parallel".

The same responses apply with equal force to the Applicants' arguments concerning to the rejection of claims 7 and 13 as stated in first paragraph, page 4 to the first paragraph, page 5.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (703) 305-3963 and E-mail address: BINH.TIEU@USPTO.GOV.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (703) 305-4708 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL Customer Service at (703) 306-0377 FOR THE SUBSTITUTIONS OR COPIES.**

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BINH TIEU
PRIMARY EXAMINER

Art Unit 2643

Date: June 16, 2004